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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

R. CHANEY et al.

Art Unit: 1638

Application Number: 09/437,607

Examiner: M. Ibrahim

Filed: November 10, 1999

Attorney Dkt. No.: 108172-00037

For: RECOVERING METALS FROM SOIL

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RESPONSE UNDER 37 C.F.R 1.111

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Commissioner for Patents
Washington, D.C. 20231

TECH CENTER 1600/2900
Date: February 13, 2003

Sir:

This paper is filed in response to the Office Action dated August 13, 2002, in connection with the above-identified patent application. The period for responding is extended by the attached petition. Applicants respectfully request entry of the following amendments without prejudice.

IN THE CLAIMS:

Please amend claim 1, 10 and 38 as follows. Attached is a marked-up copy showing changes to the claims.

1 (Amended). A method for selectively increasing the amount of at least one metal recovered from metal-containing soil comprising:

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- (a) elevating the pH of the soil from an initial pH to a raised pH of 5.6 to 9.5; and
 - (b) cultivating at least one metal-hyperaccumulator plant in the soil having the